



CRM-M-56423-2024

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**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

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**CRM-M-56423-2024 (O&M)
Date of Decision: 12.05.2025**

Harbans Lal

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**Present:** Mr. Sanjeev Sharma, Advocate for the petitioner.

Ms. Manjot Kaur, AAG, Punjab.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of pre-arrest bail to the petitioner in FIR No. 115 dated 07.08.2023 (P-1), under Sections 181, 419, 420, 466, 468, 471, 474 and 120-B of the Indian Penal Code, 1860 (for short 'IPC'), registered at Police Station Division No.4 (Lahori Gate), Patiala, District Patiala.

2. Allegations are that petitioner in criminal conspiracy with co-accused furnished fake surety with forged documents in a case before competent Court of law.

3. Contends that petitioner was granted interim bail by the Coordinate Bench, vide order dated 13.11.2024 and in pursuance thereof, he has already joined investigation; hence, his custodial interrogation is not required.



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4. The above factual position is not disputed by learned State Counsel, on instructions from quarter concerned and submits that his custodial interrogation is not required.

5. Heard learned counsel for the parties and perused the paper-book.

6. It transpires that petitioner was granted interim bail by the Coordinate Bench, vide order dated 13.11.2024 and the order reads as under:-

“Prayer is for grant of anticipatory bail to the petitioner under Section 482 of BNSS 2023 in criminal case having FIR No.115 dated 07.08.2023 registered under Sections 181, 419, 420, 466, 468, 471, 474, 120-B of IPC at Police Station Division No.4 (Lahori Gate), Patiala, District Patiala.

Counsel for the petitioner inter alia submits that the petitioner is about 68 years of age and he was accused in one criminal complaint under Section 138 of NI Act. That there are allegations that while submitting his bail bonds, the petitioner produced one fake surety. Counsel for the petitioner further submits that there was no mala fide intention on part of the petitioner and he was not knowing the surety appearing on his behalf was having fake documents with him. It is further submitted that petitioner is ready and willing to join investigation with the police.

Notice of motion.

Mr. Jasjeet Singh Dhaliwal, AAG, Punjab accepts notice on behalf of the State and submits that the allegations against the present petitioner are that he produced fake surety while submitting bail bonds in criminal complaint under Section 138 of NI Act. However, the State counsel has not disputed the fact that the petitioner is aged about 68 years.

Now be listed on 02.02.2025.

In the meantime, the petitioner is hereby directed to join investigation with the police and in case of arrest, he is directed to be released on interim bail by the IO/Arresting Officer to his own satisfaction till the next date of hearing. The petitioner is to abide by the conditions as envisaged under Section 482(2) of BNSS, 2023.”

7. It is duly acknowledged by learned State Counsel that in pursuance of the aforesaid order, petitioner has joined investigation and his

